

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ROBERT GENE BAILEY, )  
 )  
 Plaintiff, )  
 )  
 v. ) 1:16CV322  
 )  
 JOSEPH GARDNER, et al., )  
 )  
 Defendants. )

## ORDER

On June 28, 2017, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. Plaintiff filed objections (ECF No. 4) within the time limit prescribed by Section 636. The Court has reviewed Plaintiff's objections *de novo* and finds that they do not change the substance of the United States Magistrate Judge's Recommendation (ECF No. 2), which is hereby affirmed and adopted.

IT IS THEREFORE ORDERED that this action is DISMISSED *sua sponte* without prejudice.

This, the 20<sup>th</sup> day of September, 2017.

/s/ Loretta C. Biggs  
United States District Judge